

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED
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UNITED STATES OF AMERICA,

Plaintiff,

v.

John Davonte Cole,

Davon Abel

Defendants.

Case No.:

COMPLAINT FOR VIOLATION OF

Title 18, U.S.C. § Sec. 1591(a) and (b)
– Sex Trafficking of Children; 18
U.S.C. §2 – Aiding and Abetting

13 MJ 1345

The undersigned complainant being duly sworn states:

On or about and between July 4-6, 2012, within the Southern District of California, and in and affecting interstate and foreign commerce, defendant John Davonte Cole and Davon Lajuan Abel, did knowingly recruit, entice, harbor, transport, provide, obtain and maintain a person, to wit: four female minors (each age – 17) knowing and in reckless disregard of the fact that the persons (1) would be caused to engage in a commercial sex act; and (2) having a reasonable opportunity to observe the person and knowing and in reckless disregard of the fact that the person had not attained the age of 18 years; in violation Title 18, United States Code, Sections 1591 and 2.

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2 The complainant states that this complaint is based on the attached Statement of
3 Facts incorporated herein by reference.

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5 Eric Drilling
6 Special Deputy U.S. Marshal

7 Sworn to before me and subscribed in my presence, this 4 day of April 2013.

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9 
10 U.S. MAGISTRATE JUDGE

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12 **PROBABLE CAUSE STATEMENT**

13 Each of the four victims listed in this case (MF1, MF2, MF3, MF4) were 17
14 years old during the time frame listed in this complaint (late June – July 6th 2012).

15 On July 6, 2012, SDPD vice detectives conducted a street prostitution
16 enforcement detail along El Cajon Blvd. During their operation, the detectives
17 observed two young black females in the area of 73rd/El Cajon Blvd at
18 approximately 2145 hours. They were later identified as MF1 and MF2. After
19 detectives observed the females together, they parted company. MF1 walked over
20 to Detective Peterson's vehicle alone and got inside. Detective Peterson arrested
21 MF1 for agreeing to engage in a sex act with him for money. After the arrest,
22 investigators determined that MF1 was seventeen years old. At the time she was
23 arrested, MF1 was in possession of a cell phone (619) 715-3044. She was
24 transported to HQ where Detective Johnson and I met with her. I admonished
25 MF1 of her Miranda rights and she agreed to talk to me.

26 MF1 essentially told me she was working as a prostitute with another female
27 (MF2) on El Cajon Blvd. MF1 further stated that prior to hitting the streets with
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1 MF2, they met up with two black males, who she later identified as John Cole and
2 Davon Abel, and two additional females (MF3) and another minor female (MF4) at
3 the La Petite Rouge Hotel. At the time MF1 met the people at the hotel, she heard
4 Davon Abel tell MF3 to "get my money" and "daddy's pockets is empty" (*these*
5 *are slang terms commonly used by pimps to let prostitutes know it is time to go*
6 *work*). MF1 told me she believed she was supposed to give some of her money
7 from prostitution to Abel but never had a chance to because she was caught during
8 her first attempt to prostitute.

9 Using MF1'S phone, Detective Johnson engaged MF2 in a text conversation
10 while posing as MF1. Detective Johnson essentially told MF2 that MF1 had
11 money from prostitution and requested a meeting to exchange the money. Based
12 on the text messages, MF2 was located on El Cajon Blvd while trying to meet with
13 MF1. She was arrested for curfew and transported to headquarters for an
14 interview. When she was arrested, MF2 was in possession of a cell phone with the
15 number (619) 646-7742. I did a Google search using the phone number and found
16 several escort ads on backpage.com, including ad #10882778. After being read her
17 Miranda rights, MF2 agreed to talk to me. During my interview, MF2 admitted
18 working as a prostitute with MF1 but denied having a pimp. I showed MF2
19 backpage ad #10882778. She admitted the ad was hers and said she was the girl in
20 the photos. MF2 told me she posted the ads herself. Most of the ads listed MF2's
21 phone number. One of them listed (619) 581-0438. MF2 told me that phone
22 belonged to a customer. I asked MF2 about the room at the La Petite Rouge hotel
23 MF1 told me about. MF2 stated a customer got the room in his name and gave it
24 to her.

25 After speaking to MF1 and MF2, I directed detectives to check the La Petite
26 Rouge hotel for people associated with the minor victims. Detectives arrived and
27 pulled a room registry for the hotel. Davon Abel was registered to room number
28 302. Shortly after they arrived, the detectives observed Davon Abel, John Cole,
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1 MF3, and MF4 leave room 302 and get into a car. The vehicle was stopped and all
2 four occupants were arrested: Abel and Cole for contributing to the delinquency of
3 minors; MF3 and MF4 for curfew. Incident to her arrest, detectives confiscated a
4 cell phone from MF3 assigned phone number (619) 581-0438. An administrative
5 subpoena to Cricket Wireless later revealed the phone was registered to Davon
6 Abel. A second cell phone was located inside the vehicle where John Cole was
7 seated. The phone was assigned (619) 366-0936 and was registered to Cole
8 according to records from Cricket Wireless.

9 Also seized incident to Cole's arrest was a "Visa debit gift card" found on
10 his person. The card number was XXXXXXXXXXXXX4819. Two credit cards
11 were found on ABEL. The first was a "Visa debit Green Dot" card with the
12 number XXXXXXXXXXXXX 5940. The second card was a "Visa debit" card from
13 Wal-Mart with the number XXXXXXXXXXXXX 3510. Pre-paid debit gift cards
14 are the preferred method of paying for escort ads used by prostitutes and pimps. A
15 subpoena to backpage.com revealed Cole's card was used to pay for one of MF2'S
16 backpage ads. One of ABEL'S cards was used to pay for three of the ads for MF2
17 and MF3. There were a total of four ads tied to the suspects/victims in this case.
18 There were two ads posted on July 4th, one ad on July 5th, and one on July 6th.

19 At the time of his arrest, John Cole was on probation with an active 4th
20 waiver. Detectives seized his cell phone and I later searched it. In Cole's phone, I
21 located internet history for backpage escort ads used to post MF2 and MF3 as
22 prostitutes. I also found a video on Cole's phone of both MF2 and MF3 engaged
23 in explicit sexual contact (oral sex and vaginal intercourse) with two black males.
24 The males in the video strongly resemble Cole and Abel.

25 I interviewed John Cole about the case. Cole waived his Miranda rights and
26 agreed to talk with me. In his interview, Cole confirmed he owned the phone
27 number (619) 366-0936 but denied being in possession of the phone at the time of
28 his arrest (the phone was located on the car seat where he was seated). Cole
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1 admitted to having a sexual relationship with both MF2 and MF4. Cole denied
2 knowing any of the minor females were working as prostitutes and denied pimping
3 any of them. He said he knew that MF2 and MF 4 were 17 years old. He said he
4 knew MF1 from a local high school.

5 During a subsequent interview months after the initial incident, I asked Cole
6 about the video found on his phone. During that interview, he told me he didn't
7 remember making any videos with MF2 and MF3 and denied any involvement in
8 the video. However, Cole did say that MF3 talked to him and mentioned the police
9 were asking about it.

10 I also interviewed Davon Abel about the case. Abel waived his Miranda
11 rights and agreed to talk with me. Abel admitted having a sexual relationship with
12 MF3. He also admitted that MF3 worked for him as a prostitute for approximately
13 one week. Abel said he obtained a cell phone (619) 581-0438 for MF3 to use
14 while working as a prostitute. He also obtained a Green Dot credit card
15 (referenced above) to pay for escort ads and posted the ads using one of the cell
16 phones with internet access in his hotel room. Abel stated that both MF2 and MF4
17 were also working as prostitutes. According to Abel, MF2 made approximately
18 \$400 per day from prostitution and she worked exclusively for Cole. Abel said it
19 would be a fair statement to say MF2 gave her prostitution money to Cole. Abel
20 admitted to making the statement attributed to him by MF1 to wit, "Daddy's
21 pockets is [sic] empty." Abel denied receiving any money from MF3 from her
22 prostitution. In reference to MF1, Abel said he just met her earlier that evening.
23 When she showed up at the hotel with MF2, Abel talked to MF1 and put her up
24 "on game" (slang for teaching a prostitute how to conduct business). Abel further
25 told MF1, "You can't fuck with me unless you got some money going for yourself.
26 It don't matter how you get it. You can get a job and fuck with me. If you got
27 some money you can get a job. You can have a check every day and fuck with me.

1 I don't care how you get it." Shortly after having this conversation with MF1, she
2 left the hotel room with MF2 to work as a prostitute.

3 After I interviewed Cole and Abel, they were placed in the back of a patrol
4 car together. The car was wired for audio. On the audio tape, Cole and Abel
5 discussed their roles in pimping minors. Abel specifically referred to himself and
6 Cole running an "operation" stating, "Yeah, they (the police) know too much about
7 the operation." Abel told Cole he used his name to post the minors on the internet
8 as prostitutes. Cole replied, "Dummy!" Abel also admitted to working MF1 and
9 MF3 as prostitutes. Cole and Abel both agreed they shouldn't have "fucked with"
10 (*slang for associate with*) MF1 because she told the police about them. Abel told
11 Cole, "We got caught red handed." Abel also told Cole, "MF1 told them I said if
12 you fuck with me you gotta go in the blade and make some dough. And that's
13 what MF1 said. And this I know is true."